

to E & R for engrossing.

SENATOR LINDSAY: You've heard the motion. All those in favor say aye. Opposed. The bill is advanced. The next item, Mr. Clerk.

CLERK: Mr. President, the first bill on General File this morning, LB 411. (Read title.) The bill was introduced on January 12, referred to the Judiciary Committee. The bill was advanced to General File. There are Judiciary Committee amendments pending, Mr. President.

SENATOR HALL PRESIDING

SENATOR HALL: Thank you, Mr. Clerk. Senator Lindsay, on the Judiciary Committee amendments.

SENATOR LINDSAY: Thank you, Mr. President, members, this bill was introduced by Senator Janssen. It's basically intended to allow full determination of issues in a case, for example, in a negligence case where you have comparative negligence of different parties being discussed. If there is one of the parties who is not before the court and whose culpability then cannot be determined, there should be a procedure to allow that person to be brought in as a party to the lawsuit. Senator Janssen's bill would do that. The committee amendments clarify some of the language. Number one, in the bill, it made...it indicated that, as drafted originally, it indicated that the person who was sought to be brought in would be a necessary party. This, by using the term "necessary party", it may connote something a little bit more than what was intended, and that being that if all parties are not in, it may be difficult, if not impossible, in some case, to name all parties, thereby giving rise to a dismissal of the case. So this clarifies that. The second thing it does, it takes out the question of an unknown person being named as an additional party. But the language then being adopted by the committee amendments does clarify and I think it does reach the result that Senator Janssen was...is trying to accomplish through the bill. I would urge the adoption of the committee amendments.

SENATOR HALL: Thank you, Senator Lindsay. You've heard the opening on the committee amendments. Is there any discussion? Seeing none, the question is, shall the committee amendments to LB 411 be adopted? All those in favor vote aye, opposed nay.